

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION

IN RE:

STEVEN DALE DEATON

DEBTOR

CASE NO.:

23-02527-5-PWM

CHAPTER 7

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OBJECTION TO CLAIM

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The undersigned Trustee, by and through counsel, objects to the following claim on the grounds set forth below, and respectfully requests that the Court enter an order granting the relief requested herein:

Proof of Claim No.:	8
Name and Address of Claimant:	MXR Imaging, Inc. c/o Benjamin S. Morrell, Taft Law 111 East Wacker Drive, Suite 2600 Chicago, IL 60601
Amount of Claim:	Unknown

Basis of Objection & Relief Requested:

The claim should be disallowed on the following grounds:

1. The Proof of Claim states that the amount owed is "Unknown." Unless and until such time as the creditor files an amended Official Form 10 Proof of Claim setting forth a specific amount of the purported claim and the basis therefor, the claim shall be deemed to be contingent, unliquidated, in the amount of \$0.00, and not entitled to any distribution.

Dated: January 16, 2024

BUTLER & BUTLER, L.L.P.

s/Algernon L. Butler, III  
Algernon L. Butler, III  
Attorneys for the Trustee  
NC State Bar No. 20881  
P.O. Box 38  
Wilmington, NC 28402  
Telephone: (910) 762-1908  
Email: albutleriii@butlerbutler.com

## AFFIDAVIT IN SUPPORT OF OBJECTION TO CLAIM

The undersigned Trustee, having first been duly sworn, deposes and says:

1. That he has reviewed the proof of claim filed by the creditor/claimant set forth in the attached Objection to Claim and Notice Thereof.
2. That he has filed the objection set forth in the attached Objection to Claim and Notice Thereof in good faith.



s/Algernon L. Butler, III

Algernon L. Butler, III  
Trustee in Bankruptcy

Sworn to and subscribed before  
me this 16<sup>th</sup> day of January, 2024.

Lori G. Harvey  
Notary Public  
My Commission Expires: August 9, 2025



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NOTICE OF OBJECTION TO CLAIM

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The Chapter 7 Trustee has filed an objection to your claim in this bankruptcy case, a copy of which objection is attached hereto.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the Court to eliminate or change your claim, then on or before February 20, 2024, unless otherwise ordered, you or your attorney must file with the Court, pursuant to Local Rule 9014-1, a written response, an answer explaining your position, and a request for hearing at: U.S. Bankruptcy Court P.O. Box 791 Raleigh, N.C. 27602. (As a Filing User of the Court's Electronic Case Filing System you may be required to electronically file a response). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. You must also mail a copy to the attorney whose name appears at the bottom of this notice, and to other parties in interest.

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the objection at a date, time and place to be later set and all parties will be notified accordingly. Any party filing a response to the objection shall appear at any hearing in support of the response or may be assessed with costs.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the objection to your claim.

Dated: January 16, 2024

BUTLER & BUTLER, L.L.P.

s/Algernon L. Butler, III  
Algernon L. Butler, III  
Attorneys for the Trustee  
NC State Bar No. 20881  
P.O. Box 38  
Wilmington, NC 28402  
Telephone: (910) 762-1908  
Email: [albutleriii@butlerbutler.com](mailto:albutleriii@butlerbutler.com)

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that (s)he is over eighteen (18) years of age, and that the

### **Objection to Claim and Notice Thereof and Affidavit in Support of Objection to Claim**

in the above captioned case was this day served upon the below named persons as follows:

Electronically via email through the Court's CM/ECF system to the following persons, parties and/or counsel:

Mr. Travis Sasser  
2000 Regency Parkway, Suite 230  
Cary, NC 27518

U. S. Bankruptcy Administrator  
434 Fayetteville Street, Suite 640  
Raleigh, NC 27601

By mailing, postage prepaid, first class mail (or by certified mail, return receipt requested where indicated below) of a copy of such instrument to such persons, parties and/or counsel at the address shown below:

Steven Dale Deaton  
12201 Beestone Lane  
Raleigh, NC 27614

MXR Imaging, Inc.  
c/o Benjamin S. Morrell, Taft Law  
111 East Wacker Drive, Suite 2600  
Chicago, IL 60601

Dated: January 16, 2024

BUTLER & BUTLER, L.L.P.

s/Algernon L. Butler, III  
Algernon L. Butler, III  
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